

**CERTIFICATE OF MAILING (37 CFR 1.8)**

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I hereby certify that this paper is being deposited with the United States Postal Service as first class mail under 37 CFR 1.8 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington D.C. 20231.

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Name of Person Mailing Paper

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Signature

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Art Unit : 1648  
Examiner : Ali Reza Salimi  
Applicant(s) : FL Homa, MW Wathen, TA Hopkins, DR Thomsen  
Serial No. : 09/904,065  
Filed : 7/12/01  
For : A Method for Treating Herpes Viruses

Commissioner of Patents and Trademarks  
Washington, DC 20231

**INFORMATION DISCLOSURE STATEMENT TRANSMITTAL  
UNDER 37 CFR 1.97 AND 1.98**

Sir:

**Information Disclosed.** The information disclosed consists of the following:

[X] **Form PL-1449.** Provided herewith are copies of patent(s) and/or publication(s) as listed in the attached form PL-1449.

[X] At least to the extent required under §1.98(a)(3), a concise explanation of the relevance of references listed in form PL-1449 is:

- [X] contained in the above-captioned specification as filed;
- [ ] provided in a communication enclosed with this paper;
- [ ] provided in the International Search Report enclosed with this paper; and/or
- [ ] not necessary as all of the references cited are in the English language.

- ☐ **Disclosure from Predecessor Application.** Provided herewith is a copy (or the copy is already present in the present file wrapper in accordance with §1.53(d)) of one or more forms PL-1449 and/or search/examination reports of record in this or a predecessor application, Serial No. filed , the benefit of which is claimed under 35 USC 120. Copies of references are present in the prosecution history of the referenced application and are not supplied herewith pursuant to §1.98(d).

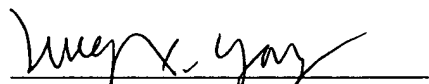
**Basis for Consideration.** This information disclosure statement is entitled to consideration by the Office under:

- ☐ **§1.97(b)**, as being filed within three months of the filing date of the above-captioned application and/or the date of entry of the National Stage, if later, and/or before the mailing date of the first Office action on the merits. Applicant(s) is/are unaware that any office action has issued in this case. However, in the event a first office action has issued, prior to the mailing of this document, then authorization is given to charge the late fee to the deposit account identified below.
- ☒ **§1.97(c)**, as being filed after the period specified in §1.97(b), but before the mailing date of a final action under §1.113 and/or the notice of allowance under §1.311.  
Consideration of this information disclosure statement at this time is requested for the reason checked below:
- ☒ **Authorization is hereby provided to charge Deposit Account No. 21-0718 the fee set forth in §1.17(p), \$240.00, or such greater or lesser amount as the Commissioner may from time to time prescribe by rule. Triplicate copies of this paper are provided to facilitate the charge to the Deposit Account.**
- ☐ A statement as specified in 37 CFR 1.97(e) below.
- ☐ **§1.97(d)**, as being filed after the period specified in §1.97(c), but on or before payment of the issue fee and is accompanied by:
- ☐ **Authorization to charge Deposit Account No. 21-0718 the fee set forth in §1.17(i), \$130.00, or such greater or lesser amount as the Commissioner may from time to time prescribe by rule. Triplicate copies of this paper are provided to facilitate the charge to the Deposit Account.**
- ☐ A petition requesting consideration of the information disclosure statement; and
- ☐ A statement as specified in 37 CFR 1.97 (e) below.
- ☐ **§1.97(e)**, this is a **supplemental information disclosure statement**. A prior information disclosure statement has already been filed. Applicant certifies, as provided in 37 CFR 1.97 (e), that

- ☐ Each new item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this statement.
- ☐ No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing below, after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three (3) months prior to the filing of this statement.

**Disclaimer.** In accordance with §1.97(g) and (h), the filing of this information disclosure statement is not to be construed as an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56, and is not to be construed as a representation that a search has been made.

Respectfully submitted,



Lucy X. Yang, Attorney  
Registration No. 40,259

Date: 10-4-02

Pharmacia & Upjohn Company  
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Kalamazoo, Michigan 49001

Telephone No. (269) 833-9536 or (269) 833-9500  
Telefax No. (269) 833-8897 or (269) 833-2316

**Attachment(s)**

- ☒ Form 1449 with copies of reference(s)  
☐ Form 1449 from predecessor application (no references)  
☐ Communication providing concise explanation of relevance  
☐ International Search Report

<b>LIST OF REFERENCES CITED BY APPLICANT</b> <i>(Use several sheets if necessary)</i>				Atty. Docket 00221.US1		Serial No. 09/904,065		
				Applicant      FL Homa, MW Wathen, TA Hopkins, DR Thomsen				
				Filing Date      7/12/01		Group		
<b>U.S. PATENT DOCUMENTS</b>								
Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate	
	AA	4,559,157	Dec. 17, 1985	JA Smith, JE Reilly	252	90		
	AB	4,608,392	Aug. 26, 1986	B Jacquet, Q Gaetani	514	844		
	AC	4,820,508	Apr. 11, 1989	MS Wortzman	424	59		
	AD	4,938,949	Jul. 3, 1990	RF Borch, TK Schmalbach	424	10		
	AE	4,992,478	Feb. 12, 1991	NM Geria	514	782		
	AF							
	AG							
	AH							
	AI							
<b>FOREIGN PATENT DOCUMENTS</b>								
		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
	AJ							
	AK							
	AL							
	AM							
	AN							
<b>OTHER PRIOR ART</b> (Including Author, Title, Date, Pertinent Pages, Etc.)								
	AO							
	AP							
	AQ							
	AR							
	AS							
	AT							
	AV							
Examiner				Date Considered				

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I hereby certify that this paper is being deposited with the United States Postal Service as first class mail under 37 CFR 1.8 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington D.C. 20231.

Julie K. Lyons, Legal Assistant  
Name of Person Mailing Paper

Julie K. Lyons  
Signature

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**SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENT TRANSMITTAL  
UNDER 37 CFR 1.97 AND 1.98**

Sir:

**Information Disclosed.** The information disclosed consists of the following:

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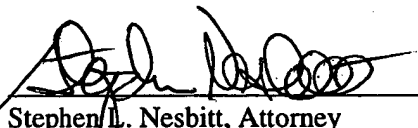
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Respectfully submitted,

  
Stephen L. Nesbitt, Attorney  
Registration No. 28,981

Date: 10/28/2002

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<b>U.S. PATENT DOCUMENTS</b>								
Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate	
	AA							
	AB							
	AC							
	AD							
	AE							
	AF							
	AG							
	AH							
	AI							
<b>FOREIGN PATENT DOCUMENTS</b>								
		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
	AJ	EP0097633	Jan. 4, 1984	Europe	G01N	33/54	X	
	AK	WO98/04707	Feb. 5, 1998	World	C12N	15/38	X	
	AL	WO00/40563	Jul. 13, 2000	World	C07D	215/56	X	
	AM	WO00/40561	Jul. 13, 2000	World	C07D	215/16	X	
	AN	WO94/24296	Oct. 12, 1994	World	C12N	15/86	X	
<b>OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)</b>								
	AO							
	AP							
	AQ							
	AR							
	AS							
	AT							
	AV							
Examiner				Date Considered				